

REMARKS

In the Office Action identified above, the Examiner rejected claim 28 under 35 U.S.C. § 101 because the claim is allegedly directed to non-statutory subject matter; objected to claim 27 as being allegedly in improper dependent form; rejected claims 23 and 25-29 under 35 U.S.C. § 102(b) as being anticipated by Okano et al. (U.S. Patent No. 5,649,861); and rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Okano et al. in view of Declaration of Kathleen Mosser.

As an initial matter, in the Office Action, the Examiner stated that he understood the claims as describing Applicants' FIG. 6. (OA at 2). Applicants respectfully note that the Examiner is correct in his understanding. Furthermore, Applicants submit that FIG. 12, as a modified example of the example of FIG. 6, and its corresponding disclosure are also described by the claims.

I. The Rejection of Claim 28 Under 35 U.S.C. § 101

Claim 28 was rejected under 35 U.S.C. § 101 because the claim is allegedly directed to non-statutory subject matter. Applicants respectfully traverse this rejection. However, to expedite prosecution, Applicants have amended claim 28 to recite a computer program product. As such, Applicants submit that claim 28 fully meet the requirements of 35 U.S.C § 101. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claim 28 under 35 U.S.C. § 101.

II. The Objection to Claim 27

The Examiner objected to claim 27 as being allegedly in improper dependent form and that it must be rewritten as an independent claim. Applicants respectfully

traverse this objection. However, to expedite prosecution, Applicants have rewritten claim 27 as an independent claim. As such, Applicants respectfully request that the Examiner withdraw the objection to claim 27.

III. The Rejection of Claims 23 and 25-29 Under 35 U.S.C. § 102

Applicants respectfully traverse the rejection of claims 23 and 25-29 under 35 U.S.C. § 102(b) as being anticipated by Okano et al. because the Examiner has failed to establish a *prima facie* case of obviousness.

In order to support a rejection under 35 U.S.C. § 102(b), each and every element as set forth in the claims must be found, either expressly or inherently described, in a single prior art reference. M.P.E.P. § 2131. Okano et al. fails to teach each and every recitation of claims 23 and 25-29.

For example, independent claim 23 recites a combination including *inter alia*:

display body movement mode reflection means for making at least one movement mode of the one of the first of the plurality of display bodies reflect a movement mode of the second of the plurality of display bodies, wherein the second of the plurality of display bodies is displayed in differing shapes depending on the movement mode of the one of the first of the plurality of display bodies.

Okano et al. fails to disclose or suggest at least this claim element. Okano et al.

teaches a game device for displaying game input operations. (Abstract). To this end,

Okano et al. teaches a "controller display region 25 [that] is superposed on the

character 24. . . The controller display region 25 thus follows the character 24 on the

move, whereby game players can pay attention concurrently to the character 24 and the

controller display region 25." (Col. 9, lines 14-23). However, Okano et al. fails to teach

or suggest "wherein the second of the plurality of display bodies is displayed in differing

shapes depending on the movement mode of the one of the first of the plurality of display bodies,” (emphasis added) as recited in claim 23. Okano et al. also fails to teach or suggest “display body movement mode reflection means for making at least one movement mode of the one of the first of the plurality of display bodies reflect a movement mode of the second of the plurality of display bodies,” as recited in claim 23. That is, it is not possible in Okano et al. to visualize the progressive movement (i.e., direction, etc.) of the first of the plurality of display bodies if the condition of the second of the plurality of display bodies is viewed. Since Okano et al. fails to teach each and every element of claim 23, claim 23 is allowable over Okano et al.

Independent claims 27-29, although of different scope, recite elements similar to those discussed above with regard to independent claim 23. Applicants therefore request the Examiner to withdraw the rejection of claims 27-29 for at least the same reasons discussed above with respect to claim 23.

Claims 25 and 26 depend from independent claim 23. As explained, claim 23 recites elements not taught by Okano et al. Accordingly, claims 25 and 26 are allowable over Okano et al. for at least the same reasons as claim 23.

IV. Rejection of Claim 24 Under 35 U.S.C. § 103(a) and new claims 42 and 43

Claims 24, 42, and 43 depend from independent claim 23 and, therefore, require all the elements of claim 23. As explained, claim 23 recites elements not taught by Okano et al. Therefore, Okano et al. also fails to teach or suggest all the elements of claims 24, 42, and 43. Furthermore, the Declaration of Kathleen Mosser does not cure the deficiencies of Okano et al. That is, the Declaration of Kathleen Mosser also fails to teach or suggest “wherein the second of the plurality of display bodies is displayed in

differing shapes depending on the movement mode of the one of the first of the plurality of display bodies," as recited in claim 23. As such, claims 24, 42, and 43 are allowable at least for this reason. Moreover, newly added claims 42 and 43 recite additional features that are not taught or suggested by the cited references. Therefore, claims 42 and 43 are also allowable for this additional reason.

V. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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